FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.648 OF 2004

Office notes, office Memoranda of Coram, appearance, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Mr.A.S.Shitole, APP. for the State.

CORAM : R.S. MOHITE,J.
DATED : 12/1/2006.

P.C.

1. This is an appeal filed by the State against the judgment and order dated 16.2.2004 passed by the 4th Addl.Sessions Judge, Sangli acquitting the accused for the offences punishable under Section 3(1)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and Section 7(1)(d) of the Civil Rights Act as well as under Section 504 and 506 of the I.P.C. On perusal of the impugned judgment and order, it is clear that the acquittal is based on cogent and acceptable reasons. The record indicates that the

complainant is co sharer had filed a suit against the father of the accused in respect of the land where the incident took place. There was dispute about the bandh. The plaintiff in that suit i.e. the complainant lost the said suit and temporary injunction was refused. The matter was pending in District Court in appeal. There is no assault in this case and the complainant and P.W.No.2 were working on the bandh when the injunction was refused. The complainant showed ignorance about the filing of the suit. The trial court observed that he appears to be stating such facts as favourable to him. Not a fit case to interfere. Hence, leave refused. Consequently, appeal stands dismissed.

(R. S. MOHITE, J.)

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